

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**IN RE: C. R. BARD, INC., PELVIC  
REPAIR SYSTEM PRODUCTS  
LIABILITY LITIGATION**

**MDL NO. 2187**

**THIS DOCUMENT RELATES TO:  
*ALL CASES***

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**C. R. BARD, INC.'S RESPONSE IN OPPOSITION TO PLAINTIFFS'  
EMERGENCY MOTION FOR HEARING ON BARD'S MOTION TO DISQUALIFY  
NEERAJ KOHLI, M.D. AND TO CONDUCT *IN CAMERA* EXAMINATION**

Plaintiffs' Emergency Motion is both premature and unnecessary. The briefing on Bard's Motion to Disqualify is not yet complete. Bard will be filing its reply brief on November 13, 2014, pursuant to the federal and local rules. Once the Motion has been fully briefed and the Court has had an opportunity to review all of the papers, the Court can then determine if a hearing and *in camera* review are necessary and what the scope of any hearing or *in camera* review should be.

Finally, there is no emergent need to decide this issue before any specific discovery deadlines. Should the Court allow Dr. Kohli to proceed as an expert in this litigation, there would be no prejudice to having his deposition occur at a later date, as no trial dates have been set in any of the Wave 1 or Wave 2 cases, and it is vastly more efficient to obtain the Court's ruling before embarking on the deposition of Dr. Kohli in any capacity.

Dated: November 6, 2014

/s/ Michael K. Brown

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 6, 2014, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

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